

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

ZENITH INSURANCE COMPANY,

Plaintiff,

v.

DEERE & COMPANY, et al.,

Defendants.

Case No. 1:24-cv-00999-JLT-EPG

ORDER FOR ATTORNEY DOW TO SHOW  
CAUSE WHY SANCTIONS SHOULD NOT  
ISSUE FOR FAILURE TO COMPLY WITH  
COURT ORDER TO ATTEND THE  
MANDATORY SCHEDULING  
CONFERENCE

(ECF No. 2)

On August 23, 2024, the Court issued an order setting a mandatory scheduling conference for December 10, 2024. (ECF No. 2). The order warned as follows: “Should counsel or a party appearing *pro se* fail to appear at the Mandatory Scheduling Conference . . . an *ex parte* hearing may be held and contempt sanctions, including monetary sanctions, dismissal, default, or other appropriate judgment, may be imposed and/or ordered.” (*Id.* at 6).

On November 26, 2024, the parties filed a joint scheduling report that acknowledged the date and time of the conference.<sup>1</sup> (ECF No. 7). The Court held the conference as scheduled and counsel for all parties appeared—except for Defendant Papé Machinery, Inc. The Court’s courtroom deputy tried to reach counsel but was unsuccessful. Accordingly, the Court issued the case schedule in counsel’s absence, noting that it would issue an order to show cause due to counsel’s failure to appear.

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<sup>1</sup> This report is signed by attorney Christopher Dow on behalf of Defendant Papé Machinery, Inc.

Accordingly, IT IS ORDERED as follows:

1. Attorney Christopher Dow, counsel for Defendant Papé Machinery, Inc., shall show cause why sanctions should not issue for counsel's failure to attend the conference as required by the Court's order. (ECF No. 2).
2. Attorney Dow has fourteen days from the entry of this order to file a written response explaining why counsel did not attend the conference.
3. After reviewing counsel's response, the Court will further consider whether sanctions are appropriate.

IT IS SO ORDERED.

Dated: **December 10, 2024**

/s/ Eric P. Gray  
UNITED STATES MAGISTRATE JUDGE